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Applicant : Douglas T. Dieterich

Serial No. : 09/862,404

Filed : May 21, 2001

For : **METHOD OF TREATING ANEMIA CAUSED BY RIBAVIRIN  
TREATMENT OF HEPATITIS C USING ERYTHROPOIETIN  
ALPHA**

Group Art Unit : 1646

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Examiner's attention is respectfully invited to the following documents which are also listed on the accompanying Form PTO-1449, enclosed in duplicate.

**U.S. PATENTS**

1. U.S. Patent No. 6,172,046 B1, Issued: January 9, 2001 to Albrecht,
2. U.S. Patent No. 5,610,054, Issued: March 11, 1997 to Draper,
3. U.S. Patent No. 5,869,253, Issued: February 9, 1999 to Draper,
4. U.S. Patent No. 6,132,966, Issued: October 17, 2000 to Draper,
5. U.S. Patent No. 5,399,551, Issued: March 21, 1995 to Ise et al.,
6. U.S. Patent No. 5,604,198, Issued: February 18, 1997 to Poduslo et al.,
7. U.S. Patent No. 5,670,477, Issued: September 23, 1997 to Poduslo et al.,
8. U.S. Patent No. 5,661,125, Issued: August 26, 1997 to Strickland,
9. U.S. Patent No. 6,063,772, Issued: May 16, 2000 to Tam,
10. U.S. Patent No. 5,543,390, Issued: August 6, 1996 to Yatvin et al.,
11. U.S. Patent No. 5,543,391, Issued: August 6, 1996 to Yatvin et al.

**OTHER REFERENCES**

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10. Di Bisceglie AM, Martin P, Kassianides C, et al., "Recombinant Interferon Alfa Therapy for Chronic Hepatitis C: A Randomized, Double-Blind, Placebo-Controlled Trial," *New England Journal of Medicine*, 1989, Vol. 321, pp. 1506-10.
11. Elghetany MT, Davey FR, "Erythrocytic Disorders," *Clinical Diagnosis and Management by Laboratory Methods*, 19<sup>th</sup> Ed. (Henry JB, ed.), WB Saunders Company, Philadelphia, 1996, pp. 617-63.

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\* Due to its voluminous nature, entire reference will be made available upon request.

12. Fisher JW, "Erythropoietin: Physiologic and Pharmacologic Aspects," *Proceeding of the Society for Experimental Biology and Medicine*, 1997, Vol. 216, pp. 358-69.
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37. Weisz K, Goldman D, Talal A, et al., "Interferon (IFN) and Ribavirin (RBV) Therapy for Hepatitis C (HCV) in HIV-Coinfected Patients, 12 Month Follow-Up," 7<sup>th</sup> Conference on Retroviruses and Opportunistic Infections, Jan. 30-Feb. 2, 2000, Abstract 283.

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Pursuant to Rule 37 C.F.R. §1.97(b)(3), an Information Disclosure Statement shall be considered by the Patent Office filed before the issuance of the first Office Action on the merits.

This Information Disclosure Statement is not a representation that the documents cited herein are considered most pertinent, or that a search has been undertaken, or that any of the cited documents are indeed prior art. The Examiner is invited to undertake an independent search. Applicant asserts that the claimed invention is patentable over these documents.

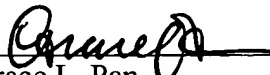
Applicant respectfully requests that the Examiner consider and make of record the documents cited herein and that a copy of Form PTO-1449, appropriately initialed by the Examiner, be returned to Applicant's attorney.

It is believed no fee is due, however, the Examiner is authorized to charge any deficit or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

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